
HOUSE BILL No. 1307

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-2-5-4.

Synopsis: Public school compensation payment schedules. Permits a public school corporation to enter into a 12 month compensation payment schedule for work performed during a normal nine or ten month school year.

Effective: July 1, 2009.

Niezgodski

January 13, 2009, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-2-5-4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 4. (a) Notwithstanding section 1 of this chapter, a**
4 **school corporation (as defined in IC 20-26-2-4) and an employee**
5 **may agree to a wage payment arrangement. The wage payment**
6 **arrangement may provide that compensation earned during the**
7 **school year may be paid in equal increments over the twelve (12)**
8 **month period that begins at the beginning of that school year and**
9 **ends before the beginning of the next school year. Such an**
10 **agreement must be:**
11 **(1) in writing;**
12 **(2) limited to a duration of one (1) school year; and**
13 **(3) voluntary.**
14 **(b) If the employment relationship is ended by either party to an**
15 **agreement executed under subsection (a), all wages earned shall be**
16 **due the employee on the next usual and regular day for payment of**
17 **compensation, as established by the employer.**



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1 (c) Section 2 of this chapter applies to wage payments required
2 under any agreement executed under subsection (a) or any amount
3 due under subsection (b).

4 (d) An agreement executed under subsection (a) must be
5 structured in such a manner that it is not considered:

6 (1) a nonqualified deferred compensation plan for purposes of
7 Section 409A of the Internal Revenue Code; or

8 (2) deferred compensation for purposes of Section 457(f) of
9 the Internal Revenue Code.

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